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Fiftieth session
Agenda item 112 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 18 December 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I am writing to you in connection with the draft resolution entitled "Situation of human rights in Kosovo", prepared by Albania, which was adopted by the Third Committee of the United Nations General Assembly on 11 December 1995 (A/50/635/Add.3, para. 16 and para. 76, draft resolution III) and, upon instructions of my Government, I have the honour to make the following comments.

The draft resolution addresses only one aspect of the situation in the Autonomous Province of Kosovo and Metohija and does so in a highly biased, unbalanced and unconstructive manner. At the same time, the draft resolution ignores the root cause of the problems in Kosovo and Metohija, which is the unbridled separatism of parts of the Albanian minority.

The leadership of the Albanian minority in Kosovo and Metohija illegally declared an independent state in 1995 in contravention of the Charter of the United Nations, the International Covenant on Civil and Political Rights, the Final Act of the Conference on Security and Cooperation in Europe (CSCE) and the Paris Charter of the CSCE as well as the Convention of the Council of Europe on National Minorities.

The People's Assembly of the Republic of Albania recognized "the Republic of Kosovo" as a sovereign and independent state on 22 October 1991 (A/C.1/50/4, annex), in contravention of the Charter of the United Nations and international legal instruments.

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READEX FICHE best copy available

How is it possible that the draft resolution on the situation of human rights in Kosovo blatantly ignores the said fundamental facts? We hope that all Member States shall take into account the said facts when deciding whether it is appropriate to support the draft resolution.

I should be grateful if you would have the text of the present letter circulated as an official document of the General Assembly under agenda item 112 (c).

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

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* Reissued for technical reasons.

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I should be grateful if you would have the text of the present letter circulated as an official document of the General Assembly under agenda item 112 (c).

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

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Fiftieth session
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Review and assessment of efforts to restructure the regional dimension of United Nations economic and social activities

Note by the Secretary-General

The Secretary-General has the honour to submit to the General Assembly his comments on the report of the Joint Inspection Unit entitled "Review and assessment of efforts to restructure the regional dimension of United Nations economic and social activities" (A/49/423, annex-JIU/REP/94/6).

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I. INTRODUCTION

1. The report of the Joint Inspection Unit (JIU) entitled "Review and assessment of efforts to restructure the regional dimension of United Nations economic and social activities" is a further study by JIU related to the implementation of General Assembly resolution 32/197 of 20 December 1977, on restructuring of the economic and social sectors of the United Nations, as well as of a number of subsequent resolutions adopted by the Assembly and other legislative bodies on this subject. The report is intended as a continuation of the ongoing debates on restructuring and revitalization of the United Nations economic and social sectors and should be considered in conjunction with parallel efforts for strengthening the position of regional commissions as the main centres at the regional level for economic and social development, and the restructuring of the Secretariat undertaken by the Secretary-General in recent years.

2. The Secretary-General welcomes this initiative of JIU, which endeavours both to address the future role and activities of the regional commissions and to highlight the desirable division of responsibilities among the respective organizational entities of the United Nations, current problems in carrying forward decentralization and coordination, as well as issues of programme and administrative management. He regards the Inspector's report as a useful contribution to gaining further insight into the way in which the regional commissions are realizing their multidisciplinary potential in response to the development needs of Member States, and to the consideration of measures for action by Member States and the United Nations that could give further impetus to the restructuring process.

3. The present comments should be read in conjunction with the Secretary-General's report on the restructuring of the United Nations Secretariat that was submitted to the General Assembly at its forty-ninth session (A/49/336, sect. III.B).

4. Bearing the above in mind, the Secretary-General wishes to provide the following comments on the report in general and on the recommendations of the JIU, in particular.

II. GENERAL COMMENTS

5. The Secretary-General regards the report as a valuable contribution to the discussions on restructuring the economic and social sectors of the United Nations and to making the work of the regional commissions more effective and efficient. It addresses the issue of restructuring the Secretariat from the perspective of decentralization of certain activities to the regional level. In this regard, it should be recalled that the questions of decentralization and strengthening of the regional commissions have been discussed extensively over the years, as recognized in the Inspector's report. Indeed, one of the contributions of the present study is to provide a synopsis of previous JIU reports on decentralization, field representation and others and a synopsis of various actions taken over the years relevant to decentralization.

6. As was stressed by the Secretary-General in his comments on previous JIU reports on the subject, the purpose of any decentralization measures should be to increase efficiency and effectiveness in the delivery of programmes. Decentralization can further these objectives by bringing services closer to their beneficiaries, thereby ensuring fast, cost-effective and knowledgeable responses to problems. However, decentralization alone is not sufficient to achieve improved delivery. In particular, the danger of dispersal of activities and of bringing about fragmentation of resources and functions has to be avoided. Therefore, it is important to base decisions on decentralizing specific activities on a careful review of the specific needs to be met and the nature of the services required, the volume of resources available or potentially available, the capabilities of the organizational entities to which the responsibilities are to be devolved, as well as considerations of global consistency. In other words, decentralization of functions, like other management actions, should be carefully assessed and designed. In that regard, the Secretary-General shares the view of the Inspector concerning the need to enhance the Secretariat's capacity for strategic analysis and planning on the above issues. Similarly, the Secretary-General agrees with the emphasis placed by the Inspector on the concept of comparative advantage in improving the division of labour between the regional commissions and other Secretariat entities and on the need for the regional commissions to concentrate their resources increasingly on priority areas where they could make a unique and significant contribution.

III. COMMENTS ON RECOMMENDATIONS

RECOMMENDATION 1. Member States may wish (a) to reaffirm their conviction of the urgent need to give further impetus to the slowed-down process of restructuring and revitalization of the economic and social sectors of the United Nations; and (b) to give the Secretary-General more specific guidance for restructuring the economic and social parts of its Secretariat. They may also wish to take more coordinated positions in the legislative bodies of United Nations system organizations on such issues as roles and programmes of the respective economic and social bodies as well as on restructuring and decentralization.

RECOMMENDATION 2. Member States may wish to give careful consideration to establishing a strategic analysis and strategic planning facility in the United Nations Secretariat to supply the Secretary-General with the necessary substantive input into his strategic thinking and decision-making process. This facility should not replace the substantive technical thinking and planning that other departments are providing, but concentrate on general strategic organizational and management aspects from the overall perspective of the United Nations.

RECOMMENDATION 3. In accordance with the demand of the General Assembly to establish a transparent and effective system of accountability and responsibility in the United Nations Secretariat and in the light of failures over the last several years to make substantial progress in this important area, the Inspector believes it is critical to designate a competent senior official

with extensive managerial experience, who will be a focal point and held accountable for the firm implementation of the current restructuring process.

RECOMMENDATION 4. The Secretary-General is requested to prepare as soon as possible a specific report which, inter alia, should: (a) clearly describe functions and responsibilities of the various United Nations entities operating in the economic and social fields; (b) contain a substantive analysis as to their complementarity; (c) describe mechanisms for coordinating their activities; and (d) contain the Secretary-General's ideas concerning the restructuring measures he intends to propose in the short and medium terms.

RECOMMENDATION 5. The activities of the commissions in regional cooperation should take into account the importance of the work of other United Nations regional agencies as well as that of global organizations, (e.g. multilateral financial institutions), bilateral donors, and of non-governmental organizations active in the same or adjacent areas. The regional commissions should make an inventory of these organizations together with an analysis of their areas of competence and programmes of work in order (a) to determine the areas where the regional commissions can be most effective; (b) to establish closer cooperation with them; and (c) to ensure complementarity of action.

RECOMMENDATION 6. Within the context of implementation of General Assembly resolution 46/235 and Economic and Social Council resolution 1992/43, the Secretary-General is requested to undertake discussions with the executive heads of the United Nations funding agencies on the most rational use and financing of the regional commissions' operational capacity. Greater involvement of the regional commissions as executing agencies of regional and subregional projects, and national projects with specific regional focus, financed by these agencies should be seriously considered.

RECOMMENDATION 7. Member States, through their representatives in the legislative bodies of organizations of the United Nations system, may wish to accord the necessary support to the Secretary-General's initiatives aimed at strengthening the coordinating and team leadership role of the regional commissions.

7. It should be noted that as part of his overall efforts at revitalization and restructuring in the economic and social fields, the Secretary-General has taken a number of steps that are in line with the main thrust of the recommendations contained in the report. In this regard, the Secretary-General has been guided by the provisions of General Assembly resolution 47/212 B, which stressed that the further restructuring should entail the decentralization of activities to the regional commissions and that such decentralization, in its turn, should be carried out on the basis of clearly identified relative advantages.

8. With respect to closer cooperation and a better division of labour between the regional commissions and the Secretariat departments, the related issues have been taken up at the meetings of senior officials instituted by the Secretary-General on a regular basis.

9. An interdepartmental task force was established by the senior officials' meeting in February 1995, which reviewed possible decentralization measures to strengthen the regional commissions and identified the areas for decentralization, which related, inter alia, to the programmes on energy and natural resources, including water and minerals, social development, population, poverty alleviation, economic cooperation among developing countries, statistics, economic analysis and marine affairs. The Secretary-General is keeping the question of improving the division of labour within the Organization in these and other areas under consideration, and the results will be reflected in subsequent programme budgets.

10. Furthermore, steps have also been taken to improve inter-agency cooperation and coordination at the regional level. In his letter of 4 March 1994 addressed to members of the Administrative Committee on Coordination (ACC), the Secretary-General, in his capacity as Chairman of the Administrative Committee on Coordination, proposed modalities to initiate a dialogue on the requirements and conditions for improved coordination at the regional level. The aim of this initiative was to exploit the collective capacity of the system to mobilize regional resources in support of global development, and the existing opportunities for regional approaches and solutions to the development problems addressed by the United Nations system.

11. This initiative of the Secretary-General elicited a positive response from the heads of agencies, as well as from the executive secretaries of the regional commissions. Since March 1994, a number of meetings or "regional ACCs" have been convened by the regional commissions with the participation of organizations and agencies of the United Nations system active in the respective regions. These meetings provide a forum for the harmonization of approaches and the exchange of information and experience on regional level programmes and activities, with a view to facilitating cooperative actions and rationalizing the use of resources.

12. The executive secretaries have proposed comprehensive, all-embracing arrangements for consultations and cooperation at the regional level, to be backed by appropriate institutional structures. They also recommended that, in line with General Assembly resolution 47/199 on the triennial policy review of operational activities for development within the United Nations system, the resident coordinators should maintain close contacts with the regional commissions and regional coordination arrangements in the process of formulating and implementing country strategy notes. With regard to the division of labour and access to resources relating to the regional dimensions of development, the executive secretaries have suggested that these aspects should be discussed within ACC with particular focus on the questions of (a) interrelationship between the regional dimensions of development and national development activities; (b) an assessment of the impact of the Resident Coordinator system on the regional dimension of development, including an appraisal of national execution and the successor arrangements for agency support costs within the framework of regional development activities; and (c) access to resources for funding of regional development activities, including a review of criteria for regional indicative planning figures and their distribution by substantive and geographical priorities.

13. Another proposal concerns the convening of a general discussion on the regional approach, which is promoted by the regional offices of participating agencies, as well as by other regional and subregional groupings. Such a discussion could focus on the following three themes: (a) the distinction between the issues and activities that require a global approach and those which require a regional approach and the interrelationships between the two levels; (b) the specific role of the regional offices of the United Nations agencies and of the regional commissions in the preparation for and the follow-up to global conferences; and (c) the forms of cooperation between the regional offices of United Nations organizations and agencies and other regional or subregional groupings. In the view of the executive secretaries, the main conclusions of such debates, followed by some kind of interregional meetings, could feed into the ongoing reflection on fostering and streamlining of the regional approach within the United Nations system.

14. The Secretary-General believes that these and other recommendations deserve attention and need further study and appropriate consideration by ACC and its subsidiary bodies.

15. As a follow-up to the decision taken at the meeting of senior officials held on 21 and 22 February 1995 to enhance cooperation and coordination of activities between the regional commissions and global programmes, a number of consultations have been held and specific steps have been agreed upon.

16. Thus, for instance, the Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) and the executive secretaries, following discussions, have agreed to pursue joint programming in areas of common concern, achieve a better division of labour and avoid duplication in their programmes of work. More specifically, the Economic Commission for Europe (ECE) has signed a memorandum of understanding with UNCTAD in the field of science and technology.

17. Likewise, the Administrator of the United Nations Development Programme (UNDP) and the executive secretaries of the regional commissions have agreed on a number of areas for cooperation between UNDP and the commissions. The agreement covered four areas: (a) the preparation of the UNDP sixth programming cycle; (b) the establishment of a modus operandi with non-United Nations system partners, including regional development banks; (c) the mobilization of resources to increase the delivery of regional programmes and projects; and (d) collaboration on specific issues on a non-project basis. Follow-up action on each of these areas of work was considered at the meeting of the UNDP/Regional Commissions Task Force in May 1995.

18. The Executive Director of the United Nations Population Fund and the executive secretaries of the regional commissions have discussed the ways and means of bringing about the widest possible collaboration in the follow-up to the International Conference on Population and Development. Arrangements have been worked out for the commissions to participate in the coordinating mechanisms, whereby one regional commission represents all the commissions in the coordinating mechanism set up for the implementation of the Programme of Action of the Conference.

19. Another example of cooperation between United Nations Headquarters and the regional commissions is the establishment of the Management Board for Natural Resources and Energy within the Department for Development Support and Management Services (DDSMS), chaired by the Under-Secretary-General, to review progress in the implementation of the decentralization measures in the field of natural resources and energy. The Board, at its meeting held in February 1995 and attended by the executive secretaries of the regional commissions, discussed the joint projects already elaborated between certain commissions and the Department for Development Support and Management Services which could be launched once technical support services (TSS-1 or TSS-2) allocations become available.

20. At a meeting of the executive secretaries with the Under-Secretary-General, Department for Economic and Social Information and Policy Analysis, discussions have taken place on the Department's proposal to establish centres of excellence in the various regions comprising the Department and the commissions in order to determine a better distribution of labour between their respective programmes.

21. In the context of their active participation in the work of the Commission on Sustainable Development, the regional commissions also closely cooperate with the Task Managers established by the Inter-agency Committee on Sustainable Development notably the Department for Policy Coordination and Sustainable Development in their respective areas of competence. The Commission on Sustainable Development has recognized the importance of the regional approach to the effective follow-up to the United Nations Conference on Environment and Development and called upon the regional commissions to increase their efforts in support of recent national, subregional, regional and interregional initiatives for sustainable development.

22. These are just some of the examples of enhanced collaboration and restructuring and decentralization of activities to the regional commissions indicating the progress being made in line with the proposals contained in the JIU report.

23. As regards the need for a transparent and effective system of accountability and responsibility in the United Nations Secretariat, the Secretary-General, in his annual report on the work of the Organization, has referred to his "management plan", which is designed to create a mission-driven result-oriented Organization, with specific goals of enhanced performance, better productivity and increased cost-effectiveness. The foundation of the management plan is the new system of accountability and responsibility established to create a new management culture, assisting and supporting programme managers in achieving the strategic objectives of the organization and in executing legislative mandates. In effect the new system of accountability and responsibility empowers managers with a freedom to manage: streamlining administrative procedures, introducing considerable decentralization and delegation, allowing greater flexibility in the management of resources and encouraging greater innovation and initiative.

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Fiftieth session
Agenda item 60
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 21 December 1995 from the Permanent Representatives of Cambodia and the Lao People's Democratic Republic to the United Nations addressed to the Secretary-General

We have the honour to transmit to you herewith the press release issued on 10 December 1995 at the conclusion of the State visit by His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman, King of Cambodia, and Her Majesty Queen Norodom Monineath Sihanouk to the Lao People's Democratic Republic from 7 to 10 December 1995.

We should be grateful if you would have the text of this letter and of the press release circulated as an official document of the General Assembly, under agenda item 60, and of the Security Council.

(Signed) Alounkèo KITTIKHOUN
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative of the
Lao People's Democratic Republic
to the United Nations

(Signed) H.R.H. Prince SISOWATH Sirirath
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative of
Cambodia to the United Nations

ANNEX

Press release dated 10 December 1995 at the conclusion of the State visit by His Majesty the King of Cambodia and Her Majesty the Queen to the Lao People's Democratic Republic from 7 to 10 December 1995

1. At the invitation of His Excellency Mr. Nouhak Phoumsavanh, President of the Lao People's Democratic Republic, and Madame Phoumsavanh, His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman, King of Cambodia, and Her Majesty Queen Norodom Monineath Sihanouk conducted, from 7 to 10 December 1995, a State visit to the Lao People's Democratic Republic.

2. His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman, Her Majesty the Queen and the high-level delegation of the Kingdom of Cambodia were welcomed at Wattay airport by His Excellency Mr. Nouhak Phoumsavanh and Madame Phoumsavanh, the members of the Permanent Committee of the National Assembly, the members of the Government, senior army and police officers, officials and representatives of the population of the capital, Vientiane.

3. His Excellency the President of the Lao People's Democratic Republic and Madame Phoumsavanh offered a State banquet at the hotel of the National Assembly in honour of His Majesty the King and Her Majesty the Queen of Cambodia.

4. His Excellency Mr. Nouhak Phoumsavanh, President of the Lao People's Democratic Republic and Madame Phoumsavanh had a discussion with His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman and Her Majesty Queen Norodom Monineath Sihanouk, in the course of which they expressed their profound satisfaction at having the great honour of welcoming His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman, King of Cambodia, a close and respected friend of the Lao People, and Her Majesty the Queen, as well as the high-level Cambodian delegates.

During this discussion, which took place in a cordial and fraternal atmosphere, the two heads of State unanimously noted that, following the State visit conducted to the Kingdom of Cambodia by His Excellency Mr. Nouhak Phoumsavanh and Madame Phoumsavanh in June 1995, the long-standing relationships of traditional friendship existing between the Lao and Cambodian peoples, as well as cooperation between the two countries, had been expanded and strengthened in a number of areas.

On the present occasion, the two Heads of State welcome the results of the work accomplished by the Lao-Cambodian and Cambodia-Lao joint cooperation commissions, thus encouraging the exchange of delegations at various levels and giving new impetus to cooperation between the two countries in the areas of agriculture and forests, culture and sport. They take pleasure in the adoption by the two countries' joint border commissions of the principles and procedures for a technical settlement of the border in conformity with their common will.

In this discussion, the two Heads of State expressed their pride at noting that the good-neighbourly relations which have existed throughout history

between the Lao People's Democratic Republic and Cambodia are fraternal, candid and sincere, and full of a spirit of mutual assistance.

The two Heads of State firmly underlined that the maintenance and development of relations of friendship and cooperation between the two countries advance the interests of the two peoples, thus contributing to the cause of peace, stability and cooperation in this region and in the world.

On the occasion of this visit, His Excellency Mr. Nouhak Phoumsavanh expressed his great satisfaction at and high opinion of the assiduous and tireless efforts of His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman, father of the Cambodian nation, aimed at securing national reconciliation in Cambodia and at promoting the well-being of the people and the progress and prosperity of the Kingdom of Cambodia.

His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman warmly welcomed the achievements and the ongoing and substantial progress attained in the area of national construction and building of socialism in the Lao People's Democratic Republic under the wise leadership of the Lao People's Revolutionary Party.

5. His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman and Her Majesty the Queen of Cambodia received in audience at the Hô Khum palace His Excellency Mr. Khamtuy Siphandone, Prime Minister of the Lao People's Democratic Republic, and Madame Siphandone, who subsequently accompanied them on a pilgrimage to Phra That Luang in Vientiane. On that occasion, their Majesties offered the venerable President of the Union of Lao Buddhists a statue of the Buddha designed to be preciously conserved in a pagoda for veneration by the Lao people.

6. His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman and Her Majesty the Queen also received in audience at the Hô Khum palace His Excellency Mr. Samane Vignaket, Speaker of the National Assembly, and Madame Vignaket.

Their Majesties also successively received in audience the members of the Lao-Cambodian Friendship Association, which is led by the President of the Association, to the Khmer nationals living in the Lao People's Democratic Republic and to members of the family of the late Mom Munivanh.

7. During their stay in the Lao People's Democratic Republic, His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman and Her Majesty the Queen, as well as the members of the high-level Cambodian delegation, laid a floral tribute on the Monument of the Unknown Soldier, and visited historic sites, handicraft workshops and a number of cultural parks in Vientiane and Luang Prabang.

8. The two High Parties expressed their satisfaction at the emergence of a trend towards peace, stability, friendship and cooperation between the nations of south-east Asia. They reaffirmed their will to promote and expand their good-neighbourly relations and to cooperate with all countries of the region on the basis of the principles of peaceful coexistence.

9. The two heads of State welcome the signature by the Ministers for Foreign Affairs of the Lao People's Democratic Republic and the Kingdom of Cambodia of the Treaty of Friendship and Mutual Assistance, which augurs well for the present historic visit.

10. The two High Parties greatly appreciated the present State visit conducted by His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman and Her Majesty the Queen to the Lao People's Democratic Republic, and described it as a great event of historic scope, marking the ongoing development of the traditional relations of friendship and good cooperation between the two Lao and Cambodian peoples and nations.

11. His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman, King of Cambodia, and Her Majesty the Queen expressed to His Excellency Mr. Nouhak Phoumsavanh, President of the Lao People's Democratic Republic, and Madame Phoumsavanh, and to the Government and the heroic Lao people, their deep feelings of gratitude and affection for having maintained throughout this State visit a warm, ceremonious, lavish and unforgettable welcome bearing witness to the great friendship and generous hospitality towards them, as well as towards the high-level Cambodian delegation.

Vientiane

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SECURITY COUNCIL
Fiftieth year

REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ORGANIZATION

REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

MAINTENANCE OF INTERNATIONAL SECURITY

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: TRADE AND DEVELOPMENT

UNITED NATIONS DECADE OF INTERNATIONAL LAW

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

Letter dated 27 December 1995 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to enclose, herewith a letter dated 27 December 1995 from H.E. Mr. Ali Akbar Velayati, Minister for Foreign Affairs of the Islamic Republic of Iran, addressed to you.

It would be highly appreciated if this letter and its annex were circulated as a document of the General Assembly, under agenda items 10, 60, 81, 95 (a), 140, 145 and 146, and of the Security Council, as requested in the annex.

(Signed) Kamal KHARRAZI
Permanent Representative

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Annex

Letter dated 27 December 1995 from the Minister for Foreign Affairs of the Islamic Republic of Iran addressed to the Secretary-General

The perennial hostile policies of the Government of the United States of America against the Islamic Republic of Iran have recently been intensified and taken dangerous new dimensions. As you may be aware, two pieces of legislation are being enacted in the United States Congress, one authorizing covert subversive operations against the Islamic Republic of Iran and the other unilaterally attempting to disrupt Iran's economic relations with other States. They are both in blatant violation of universally accepted norms and principles governing relations among nations and create dangerous precedents with unpredictable yet grave consequences detrimental to the cause of the rule of law and international peace and security. They thus require immediate and serious examination and reaction by the international community, and particularly the United Nations.

As you might have noticed, the reports made public in the United States media, including the enclosed article entitled "White House Agrees to Bill Authorizing Covert Action in Iran", published in The Washington Post on 22 December 1995, unveil a conspiracy by the United States Government to conduct covert operations against the Islamic Republic of Iran and its legitimate Government. These reports reflect the agreement of the White House with a Congressional bill that authorizes spending of up to US$ 20 million for secret anti-Iran operations. It is even more alarming to note that, according to the Congressional Monitor, at least US$ 2 million out of this amount is allocated to subversive activities within Iranian territory.

Since the legislation is classified, the magnitude of the adventurist illegal operations envisaged remains unknown. It is important to note that the original intention of the legislation, as officially and publicly proposed by the Speaker of the United States House of Representatives, was to overthrow the Government of the Islamic Republic of Iran.

The few details that have been published indicate that the White House and the Congress have agreed to intervene directly in order to destabilize the Islamic Republic of Iran, which includes measures such as supporting groups opposing the Iranian Government and "cultivating new opponents".

As the involvement of the overwhelming majority of these groups in terrorist crimes against the Iranian people, inside and outside Iranian territory, is solidly based in uncontrovertible documents, even acknowledged by the American Government, the now-declared policy of the United States is nothing but the most vivid example of State-sponsored terrorism in its most blatant and official form. The involvement of the Central Intelligence Agency (CIA) as an agency of the United States Government, also indicates the practice of State-terrorism ironically being legislated into law.

The policy of interference, intervention and subversion, which is now made public, has been pursued for years by the Government of the United States of America against Iran. It contravenes the universally recognized dictums of international law and principles of the Charter of the United Nations, including the fundamental principles of respect for the sovereignty and political independence of States and non-intervention and interference in the internal affairs of other States.

Furthermore, the United States Government is bound, through its undertaking under the Algerian Declaration of 19 January 1981, formally adhered to and constituting a treaty obligation for that Government, to refrain from interfering in the internal affairs of the Islamic Republic of Iran.

The United States interventionist policies in Iran have a long history and have always been a source of anxiety and concern for our people. In order to put an end to these conducts, the Algerian Declaration, inter alia, provides:

> The United States pledges that it is and from now on will be the policy of the United States not to intervene, directly or indirectly, politically or militarily, in Iran's internal affairs.

It is crystally clear that the United States Government, by adopting the measures envisaged in the aforementioned legislation, has once more violated its undertaking under this declaration, and is in serious breach of its international treaty obligations.

The principle of non-intervention and non-interference in the internal affairs of other States is a universally accepted norm incorporated in the Charter of the United Nations and several other international and regional treaties. In addition to United States treaty obligations vis-à-vis the Islamic Republic of Iran, several resolutions of the General Assembly, including the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty (resolution 2131 (XX) of 21 December 1965), the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (resolution 2625 (XXV) of 24 October 1970 and the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States (resolution 36/103 of 9 December 1981) reaffirm the obligation of States not to interfere, directly or indirectly, in the internal or external affairs of other States.

Resolution 2625 (XXV) stipulates that:

> ... armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law .... No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind.

Both the above-mentioned pieces of United States legislation constitute blatant violations of these universally recognized norms governing inter-State conduct.

To justify its illegal behaviour, the United States has resorted extensively to a baseless defamatory misinformation campaign, vilification and hostile propaganda and has disseminated false and fabricated allegations against the Islamic Republic of Iran. As we have indicated in the past, we consider the insistence of American officials on repeating unsubstantiated and undocumented allegations that have already been proven fictitious as a matter of utmost irresponsibility and a serious and dangerous mistake, the continuation of which will have destructive repercussions for international relations and will create a climate of suspicion and distrust.

The new pieces of legislation pending in the United States Congress, viewed in the wider context, signify a trend towards unilateralism and a tendency towards coercive imposition of the politically motivated views of one State on the rest of the international community. They also represent a very fundamental challenge to the rule of law and the underlying principles of the United Nations, and indicate the tendency to legalize State and State-sponsored terrorism through domestic legislation.

It is evident that the continuation of this kind of irresponsible unilateral conduct and arrogant behaviour by the United States Government will set an alarming precedent with far-reaching adverse implications for international peace and security and create uncertainty and insecurity in international relations, for which the United States alone must bear full responsibility. These policies must be universally and unequivocally rejected. The United Nations, and particularly the Secretary-General of the Organization, has a fundamental responsibility to prevent such disastrous consequences and take all necessary and appropriate steps to bring these policies and practices to an immediate halt.

It would be highly appreciated, if the present letter and its annex were circulated as a document of the General Assembly, under agenda items 10, 60, 81, 95 (a), 140, 145 and 146, and of the Security Council.

(Signed) Ali Akbar VELAYATI
Minister for Foreign Affairs

Appendix

White House Agrees to Bill Authorizing Covert Action in Iran

By R. Jeffrey Smith
and Thomas W. Lippman
Washington Post Staff Writers

Washington Post
December 22, 1995

Bowing to pressure from House Speaker Newt Gingrich (R-Ga.), the Clinton administration has agreed to accept a House bill authorizing a small-scale covert action program aimed at moderating the radical Islamic regime in Iran, including cultivating new opponents to the regime, according to administration and congressional sources.

Gingrich has described Iran as "the most dangerous country in the world" and for weeks had been quietly holding up House approval of a $28 billion intelligence community spending bill in an effort to force the administration to accept a covert program that targets the Iranian government.

With support from Senate lawmakers, the administration resisted providing funding for any program aimed at overthrowing the Iranian regime, as CIA officials said it was unlikely to succeed. But House and Senate negotiators, acting with the consent of key administration officials, hammered out a deal on Tuesday that authorizes secret spending of up to $20 million for a covert anti-Iran program.

Instead of trying to overthrow the regime, however, the program would have the less ambitious aim of trying to blunt Iran's extremist policies and encourage it to move—even slowly—toward becoming a democracy, several sources said. The bill does not authorize any spending for lethal military aid to anti-Iran forces, such as the assistance the Reagan administration provided to the contra rebels in Nicaragua to try to destabilize the government there, several sources said.

The House passed the intelligence bill containing this secret provision on Iran yesterday, sources said. Congressional sources said the Senate was expected to approve it as well, possibly by today, and sources in Congress and the administration predicted President Clinton will sign the legislation shortly after he receives it. Two sources said the administration has agreed to spend some of the anti-Iran funds.

"For the most part, Gingrich is satisfied with the bill," a spokesman for the House speaker said, while declining to discuss what the bill said.

The funding plan is one of several recent U.S. initiatives that target the policies of Iran's leadership. The government has angered U.S. officials, who say it has tried to undermine the Middle East peace process, supported terrorism in the Middle East and other regions and allegedly tried to create a nuclear arsenal.

The Senate approved a bill yesterday that would tighten existing U.S. trade sanctions against Iran by punishing foreign companies that invest in the country's oil industry—a bill the administration also has said it will accept. Earlier this week, U.S. officials formally agreed with representatives of 27 other nations to create a multilateral organization dedicated to stopping Iran and three other nations from obtaining armaments and militarily sensitive dual-use goods.

In approving the new sanctions against Iran, the Senate agreed to apply the same penalties against foreign companies that invest in Libya's oil business.

Sens. Alfonse M. D'Amato (R-N.Y.) and Edward M. Kennedy (D-Mass.) went after Libya, another oil-dependent economy, to mark the seventh anniversary of the bombing of Pan Am flight 103 over Lockerbie, Scotland. Libya has refused to hand over two suspects in the bombing, which killed 270 people.

The measure probably would have less effect on Libya than on Iran because Libya, unlike Iran, is already under United Nations sanctions prohibiting some investment in the oil industry there.

Clinton, in remarks this week to a Saudi-owned London newspaper, Asharq al-Awsat, said "our problem is not with the people of Iran; it is with the unacceptable behavior of the Iranian government." He said the trade embargo was meant to "demonstrate our resolve to compel Tehran to pay a price for continuing its threatening activities."

The president said Washington could begin a direct dialogue with the Iranian regime only after these activities stop, according to a transcript of the interview released by the White House.

CIA Director John M. Deutch and other U.S. intelligence officers have told lawmakers in recent months that Iran's leadership faces no serious domestic opposition for at least the next three years, and they outlined various difficulties the CIA would face in trying to destabilize the government.

One major problem is that key Iranian opposition leaders operate from the territory of Iraq, a U.S. enemy, or receive Iraqi funding. The Clinton administration has refused to have any dealings with the principal opposition group, known as the Mujahedin, but several members of Congress have urged the administration to reconsider its position.

On the other hand, U.S. intelligence officials say the Iranian regime has been under growing economic pressure resulting from widespread corruption and a mountain of unpaid foreign debt. A senior U.S. defense official predicted two weeks ago that "Iran will moderate" in the coming decade, even though it is unlikely to abandon its ambition to become the dominant regional power.

The campaign against Iran has been strongly supported by the American Israel Public Affairs Committee, the chief pro-Israel lobbying organization. AIPAC has aggressively lobbied for the new sanctions legislation, which would impose penalties on foreign corporations, banks and lending institutions that make major investments in Iran's oil and gas industries, the country's principal source of revenue.

Clinton already has banned U.S.-based firms from doing business with Iran. Congress cannot prohibit foreign corporations from investing there, but the Senate bill is intended to force foreign organizations to choose between doing business with Iran and doing business with the United States.

The Senate bill was put on a fast legislative track because its chief sponsors, including D'Amato, want to set the Iranian economy back further by heading off several large new petroleum development projects for which Iran has been seeking foreign partners.

Similar measures are under consideration in the House, where staff members of both parties predicted adoption of a bill stronger than the Senate bill, probably including a ban on exports to the United States by foreign corporations investing in Iran.

Gingrich has been raising alarms about Iran periodically for at least the past year. He has called it a "terroristic state . . . committed to defeating the West in any way it can" and said Iranian-backed terrorism poses "a permanent, long-term threat to civilized life on this planet." He has further warned that Iran's efforts to develop weapons of mass destruction could enable it "to annihilate Tel Aviv and in the long run to annihilate Chicago or Atlanta."

Gingrich told a Jewish group in October that he favored making "Iran a real project," after earlier likening the idea to a "a serious, sophisticated campaign plan" or a battlefield effort "that applies all sorts of indirect pressures." He has only vaguely described what this plan should consist of but said in February that its aim should be to replace the regime in Iran.

In April, however, he spelled out two other potential goals: "moderating" the regime, or merely guaranteeing that it "never gets nuclear weapons." Both are comparable to what the administration states it is trying to do already, by supporting the trade embargo and pressuring U.S. allies not to export sensitive equipment to Iran.

The Iranian government, for its part, has attacked Gingrich for his "parochial ignorance" and "lack of mental equilibrium." The Iranian parliamentary speaker, Ali Akbar Nategh Nuri, has called Gingrich an "imbecile." Last autumn, the country also said his criticism amounted to "state terrorism."

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Agenda item 44
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fiftieth year

Letter dated 27 December 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter I have addressed to you concerning Israeli acts of aggression in southern Lebanon in the period covering the first half of December 1995.

I have the honour to request that the present letter be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(Signed) Hicham HAMDAN
Chargé d'affaires a.i.
Permanent Mission of Lebanon
to the United Nations

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Annex

Letter dated 27 December 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our previous letters concerning the repeated Israeli acts of aggression and practices directed against southern Lebanon and West Bekaa, I have the honour to inform you of the following series of Israeli attacks committed during the first half of December 1995:

2 December 1995

Jabal Abu Rachid and the Ayn al-Tinah hills were shelled by Israeli artillery.

3 December 1995

At 1330 hours, the Nabatiyah al-Fawqa-Kafr Tibnit-Kafr Rumman region and the perimeter of the army barracks were shelled by Israeli artillery, which damaged a number of buildings.

4 December 1995

At 0200 hours, the Jarju'-Ayn Bu Siwar-Arabsalim region, the Mlita and Jabal Safi hills and the towns of Kafr Tibnit and Kafr Rumman were shelled by Israeli artillery while Israeli military aircraft flew over the Nabatiyah region.

At 1915 hours, the Arabsalim-Jarju'-Ayn Bu Siwar-Jba' region was shelled heavily by Israeli artillery.

5 December 1995

At 0630 hours, a missile fired from outside the security perimeter was dropped on the region of Hasbaiya and Ayn Qana.

At 0835 hours, Israeli military aircraft launched an attack against the Majdal Silm-Qabrikha and Tulin region and several missiles were fired.

6 December 1995

At 1103 hours, the Arabsalim-Ayn Burwa-Jba' region was shelled by Israeli artillery and Israeli military aircraft flew over the Nabatiyah region at low altitude.

At 1200 hours, the Majdal Silm-Qabrikha-Tulin and Sawwanah region was shelled by Israeli artillery and Israeli military aircraft flew over the region at low altitude.

At 1500 hours, the Nabatiyah al-Fawqa region and the perimeter of the barracks abandoned by the Lebanese army (Zawtar al-Gharbiyah, Kafr Tibnit and Kafr Rumman) were shelled by Israeli artillery but there were no casualties.

8 December 1995

At 1600 hours, the Bra'shit region was shelled by Israeli artillery.

At 1900 hours, the hills to the south of Ayn al-Tinah were shelled by Israeli artillery.

10 December 1995

At 1700 hours, the Ayn al-Tinah and Madun hills were shelled by Israeli artillery.

At 2103 hours, the Haris, Kafra, Yatar and Haddathah regions were shelled by Israeli artillery.

12 December 1995

At 1130 hours, the Mashgharah hills and the Ayn al-Tinah mountain were shelled by Israeli artillery.

At 1330 hours, the Bra'shit, Haddathah and Shaqra region was shelled by Israeli artillery.

14 December 1995

At 0630 hours, the Kafr Tibnit and Nabatiyah al-Fawqa region and the perimeter of the barracks abandoned by the Lebanese army there were shelled by Israeli artillery.

At 1300 hours, the residential quarters of Jba' were shelled by Israeli artillery, which damaged a number of dwellings, shops and vehicles.

The Israeli forces closed the Tell al Nuhas-al Khardali route (Marjayun).

The Lebanese Government strongly condemns the continuation of the Israeli attacks, which have caused material damage, and the shameful practices against civilians.

This new series of attacks, following the earlier ones, constitutes a flagrant violation of the sovereignty and independence of Lebanon and a new patent violation of international law and human rights.

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SECURITY COUNCIL
Fiftieth year

STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE: SPECIAL ECONOMIC ASSISTANCE TO INDIVIDUAL COUNTRIES OR REGIONS

Letter dated 27 December 1995 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the decision of the Government of Ukraine regarding a suspension of the Security Council sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) (see annex).

I should be most grateful if you would circulate the present letter and its annex as a document of the General Assembly, under agenda item 20 (b), and of the Security Council.

(Signed) Anatoly M. ZLENKO
Permanent Representative

Annex

[Original: Russian]

CABINET OF MINISTERS OF UKRAINE

DECISION NO. 1016
of 23 October 1995
Kiev

Measures by the Government of Ukraine in connection with the suspension by the United Nations Security Council of the sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro)

In connection with Security Council resolution 1022 (1995) of 22 November 1995 on the suspension of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), the Cabinet of Ministers of Ukraine hereby decides:

1. To consider as no longer in force:

Decision No. 342 of 17 June 1992 of the Cabinet of Ministers of Ukraine on "Implementation of United Nations Security Council measures concerning the Federal Republic of Yugoslavia (Serbia and Montenegro)", and

Decision No. 356 of 17 May 1993 of the Cabinet of Ministers of Ukraine on "Implementation of the resolutions of the United Nations Security Council concerning the Federal Republic of Yugoslavia (Serbia and Montenegro)".

2. The ministries and departments, the Government of the Crimean Autonomous Republic, the regions and the Kiev and Sevastopol administrations shall take measures to restore economic ties with the Federal Republic of Yugoslavia (Serbia and Montenegro).

E. Marchuk
Prime Minister of Ukraine

V. Pustovoitenko
Minister in the Cabinet of Ministers of Ukraine